

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ARTHUR MCKINNON and ELISE  
MCKINNON,

Plaintiffs,

v.

WASHINGTON STATE  
DEPARTMENT OF CORRECTIONS,  
et al.,

Defendants.

CASE NO. 3:21-cv-05097-BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Michelle L. Peterson, United States Magistrate Judge, Dkt. 79. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Plaintiffs’ Motions for Voluntary Dismissal, Dkts. 75, 76, are **GRANTED**;
- (3) This action is **DISMISSED** without prejudice in accordance with Fed. R. Civ. P. 41(a)(2);

1 (4) All other pending motions, Dkts. 28, 39, 64, 77, are STRICKEN as moot;  
2 and

3 (5) The Clerk is directed to send copies of this Order to Plaintiff Arthur  
4 McKinnon, to all counsel of record, and to Judge Peterson.

5 Dated this 16th day of September, 2022.

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8 BENJAMIN H. SETTLE  
9 United States District Judge  
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